

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN CIVIL LIBERTIES UNION, CENTER FOR
CONSTITUTIONAL RIGHTS, PHYSICIANS FOR
HUMAN RIGHTS, VETERANS FOR COMMON SENSE,
and VETERANS FOR PEACE,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE and its components
DEPARTMENT OF ARMY, DEPARTMENT OF NAVY,
DEPARTMENT OF AIR FORCE, DEFENSE
INTELLIGENCE AGENCY; DEPARTMENT OF
HOMELAND SECURITY; DEPARTMENT OF JUSTICE
and its components CIVIL RIGHTS DIVISION,
CRIMINAL DIVISION, OFFICE OF INFORMATION
AND PRIVACY, OFFICE OF INTELLIGENCE POLICY
AND REVIEW, FEDERAL BUREAU OF
INVESTIGATION; DEPARTMENT OF STATE; and
CENTRAL INTELLIGENCE AGENCY,

Defendants.

DOCKET NO.: 1:04-CV-4151
(AKH)

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AMERICAN CIVIL LIBERTIES UNION, CENTER FOR
CONSTITUTIONAL RIGHTS, PHYSICIANS FOR
HUMAN RIGHTS, VETERANS FOR COMMON SENSE,
and VETERANS FOR PEACE,

Plaintiffs,

v.

DEPARTMENT OF JUSTICE and its component OFFICE
OF LEGAL COUNSEL,

Defendants.

DOCKET NO.: 1:05-CV-9620
(AKH)

**NOTICE OF PLAINTIFFS' FIFTH CROSS-MOTION FOR PARTIAL SUMMARY
JUDGMENT AND OPPOSITION TO DEFENDANTS' FIFTH MOTION FOR
SUMMARY JUDGMENT**

Plaintiffs American Civil Liberties Union, Center for Constitutional Rights, Physicians for Human Rights, Veterans for Common Sense, and Veterans for Peace hereby file their fifth motion for partial summary judgment and opposition to the government's fifth motion for summary judgment, based upon the accompanying memorandum of law as well as all other pleadings and proceedings herein. On August 20, 2009 at 3:00 p.m., a date and time set by the Court at a status conference held on July 15, 2009, Plaintiffs will move the Honorable Alvin K. Hellerstein, U.S. District Judge in the Southern District of New York, located at 500 Pearl Street, New York, NY, for entry of an order denying the government's fifth motion for summary judgment, granting Plaintiffs' fifth motion for partial summary judgment, and ordering Defendant Central Intelligence Agency ("CIA") to release 580 records related to the contents of the videotapes destroyed by the CIA in 2005, pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

Dated: July 24, 2009

Respectfully submitted,

/s/ Jameel Jaffer
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